

Crime Victim Assistance Division

The Crime Victim Assistance Division is a part of the Department of Justice directed by the Attorney General. The Division advocates for the rights and needs of victims to ensure that all victims and survivors are treated with respect and dignity.

The Division administers the Victim Compensation Fund and the Victim Assistance Grants Program. The Division is responsible for the administration of \$18.9 million in FY 2009 for:

- Crime Victim Compensation Program
- Sexual Abuse Examination Program
- Victim Services Grants Program
- Iowa Crisis Response Team
- Iowa's Victim Information and Notification Everyday (VINE) System

Victim Compensation Fund

The Victim Compensation Fund is established in Chapter 915, Code of Iowa. The Fund supports the Crime Victim Compensation Program that pays certain out-of-pocket expenses of crime victims and their families. Eligibility criteria include:

- Victims must report the crime to law enforcement and make an application to the Program.
- Victims must not have consented to, provoked, or incited the crime or have been committing a criminal act that caused the injuries.
- Compensation can only be paid when there are no other payment sources.

The Division spent \$5.5 million in FY 2008 for direct compensation of out-of-pocket expenses to victims. This is an increase of \$999,000 (21.8%) compared to FY 2007. Eligible expenses include:

- Cost of medical care for direct victims and for the survivors of a homicide victim.
- Counseling for the victim and household and family members.
- Lost wages resulting from injury or cooperation with law enforcement and prosecution.
- Clothing and bedding kept as evidence.
- Funeral and burial.
- Loss of support for dependents.
- Cleaning a residential crime scene.
- Replacement of home security items.
- Certain dependent care costs.
- Transportation related to the crime.

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The Victim Compensation Fund also supports the following items:

- **Administrative Costs:** The Division expended \$1.8 million for operating costs from the Victim Compensation Fund in FY 2008. This is an increase of \$41,600 (2.3%) compared to FY 2007. In FY 2008, 24.0 FTE positions were funded from the Victim Compensation Fund, including a victim and witness coordinator in the Area Prosecutions Division of the Office of the Attorney General.
- **Sexual Abuse Examination Program:** The Division expended \$1.4 million for sexual abuse exams in FY 2008.

- **Services and Support:** The Division is required to transfer \$3.2 million annually from the Victim Compensation Fund to the Victim Services Grants Program Account. Reimbursable grants are awarded to local domestic and sexual abuse programs. If local programs do not expend the money, it is retained by the Victim Compensation Fund.
- **Training:** Training for victim service providers is limited to \$100,000. The Division has been expending \$30,000 annually for this purpose.
- **Iowa Crisis Response Team (ICRT):** The Team is comprised of 165 volunteers that have received a minimum of 40 hours of training in Community Crisis Response from the National Organization for Victim Assistance (NOVA). The Division pays approximately \$5,000 for a one-week session of NOVA training for volunteers. Two training sessions have been held since FY 2000.
- **IowaVINE System:** This is an automated victim notification system that has been implemented and supported by federal funds since FY 2007. Operating costs are provided by the Victim Compensation Fund.

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More Information

Iowa Department of Justice website:
www.state.ia.us/government/ag/

Fiscal Topic: Iowa VINE System
www.legis.state.ia.us/lisadocs/FiscalTopics/2009/FTBAL000.PDF

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Federal Funds

The Division is responsible for the administration of several federal grants related to victims. Federal funds include:

- Victims of Crime Act (VOCA) funds are used for both the Crime Victim Compensation Program (direct payments to victims) and Victim Services Grants Program (grants to service providers of victims of domestic abuse, sexual abuse, homicide, and other violent crime). The Division is allowed to keep 5.0% of each VOCA grant for administration.
- The Division received \$1.8 million in VOCA funds for victim compensation in FY 2008, a decrease of \$514,000 (21.8%) compared to FY 2007. Receipts are expected to increase by \$1.0 million in FY 2009. This grant is formula driven, based on the amount of the State's share of the cost of claims. The award is expected to decrease in FY 2010.
- The Division received \$3.8 million in VOCA funds for the Victim Services Grants Programs in FY 2008. This is a decrease of \$344,000 (8.3%) compared to FY 2007. The award is expected to decrease by \$528,000 (13.9%) in FY 2009. These funds provide grants to service providers of victims of violent crime, including 27 domestic abuse and 27 sexual abuse programs across the State. These funds also support the domestic abuse and sexual abuse statewide telephone hot lines, four homicide victim survivor programs, and 16 victim and witness coordinators in county attorney offices.
- The Family Violence Prevention and Services Act funds domestic abuse programs. The Division received \$1.2 million from this funding source in FY 2008, an increase of \$19,000 (1.6%) compared to FY 2007. The award is expected to decrease by \$23,000 (2.0%) in FY 2009. The Division is allowed to keep 5.0% of the grant for administration.

- Violence Against Women Act (VAWA) funds victim services, law enforcement, prosecution and court services for domestic violence, sexual assault, and stalking programs. A \$30,000 General Fund match requirement is included in the appropriation to the Office of the Attorney General. The Division received \$1.4 million in FY 2008, a decrease of \$130,000 compared to FY 2007. Receipts are expected to increase by \$42,000 in FY 2009, but remain below the FY 2007 level. The Division is allowed to keep 10.0% of the grant for administration, but keeps 5.0% and distributes the remainder to local programs.
- The Statewide Automated Victim Information and Notification (SAVIN) is used to implement the IowaVINE system. The Division is required to maintain this automated victim notification system. The Division received \$1.2 million of SAVIN funds in FY 2007 that expire in FY 2009. Annual operating costs of approximately \$540,000 will be funded by the Victim Compensation Fund. The Division was recently awarded \$333,000 in FY 2010 to expand the IowaVINE system to the courts and local law enforcement. The FY 2010 grant award cannot be used for administrative and operating costs. For more information, see the separate Fiscal Topic regarding the VINE System.

Funding Issues

Funds available in the Victim Compensation Fund in FY 2008 were \$13.5 million, a decrease of \$879,000 (6.1%) compared to FY 2007. Expenditures from the Fund in FY 2008 increased by \$1.0 million (9.5%) compared to FY 2007. The year-end balance carries forward to the next fiscal year and is available for expenditure. However, the FY 2008 year-end balance of \$1.5 million is the lowest it has been since FY 1993.

The Victim Compensation Fund is experiencing cash flow problems in FY 2009 resulting from:

- An increase in compensation paid directly to victims.
- Transfer of \$3.2 million annually to the Victim Services Grants Program.
- Delayed receipts from the U.S. Department of Justice for the VOCA Compensation Program. The FY 2008 award was received in September 2008, 10 weeks after the close of FY 2008.
- An increase in expenditures for the IowaVINE System. The Department expects approximately \$540,000 annually to be provided by the Fund. The FY 2010 award of \$333,000 cannot be used for operating costs. It may only be used to connect the courts and local law enforcement to the system. More entities connecting to the IowaVINE system increase the likelihood that operating costs will increase.

The Department is projecting a deficit in the Victim Compensation Fund in FY 2010:

- The FY 2009 ending balance is projected to be approximately \$348,000, the lowest it has been in at least 10 years.
- The VOCA compensation award is expected to decrease in FY 2010.
- The FY 2009 transfer of \$850,000 in forfeited property receipts for the Victim Services Grants Program will not be available in FY 2010. It is unlikely the Victim Compensation Fund will be able to offset that loss.

The Division is working with the federal congressional delegation to resolve the delay in federal receipts. The Division is also researching the possibility of capping payments to medical providers at 70.0% of the amount billed to the Fund, to reduce victim compensation payments.

The General Assembly may want to review other options for the Fund, such as:

- Increasing receipts to the Fund.
- Using alternative funding sources for Victim Services Grants. The Division is requesting an additional \$4.1 million from the General Fund for these grants in FY 2010.
- Decreasing the amount of compensation paid to victims.

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